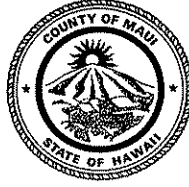


CHARMAINE TAVARES
Mayor



BENJAMIN M. ACOB
Prosecuting Attorney

PETER A. HANANO
First Deputy Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI
150 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 270-7777 • FAX (808) 270-7927

February 22, 2008

Mark Barrett, Esq.
P.O. Box 896
Norman, Oklahoma 73070

Re: Taryn Christian v. Richard Bissen, Director of
Department of Public Safety
USDC - Civ. No. 04-00743 DAE-LEK

Dear Mr. Barrett:

We are in receipt of your electronic mail correspondence dated February 21, 2008. We have several concerns pertaining to the requests in the email message.

First, at this point, we are opposed to any further discovery being conducted in violation of Judge Kobayashi's 12/27/07 Minute Order ("Order"). Specifically, we are opposed to sending any further evidence to any expert that is not described in the Order.

If you recall, in the latter part of January, you indicated that you were possibly interested in having the Gas Express videotapes, the knife sheath, and the shorts sent to your experts for analysis. Now, in addition to those items, you are expressing interest in swabs and audiotapes of other witness interviews. Based upon this, there are serious concerns that this discovery process could continue indefinitely.

Moreover, as mentioned earlier, we are unaware of the whereabouts of the shorts, and have no idea as to the specific swabs or witness interviews you are referring to, or whether those items even exist.

Second, it appears that your expert, Brian Wraxall is not complying with the Court Initial Discovery Order. Specifically, it appears that Mr. Wraxall has decided not to test items #7 & #8, which are the jacket and cap, respectively.

Mark Barrett, Esq.
Page Two
February 22, 2008

Third, we oppose any request to have all deadlines occur on the same date. In our opinion, the deadline for the motion for evidentiary hearing should fall after all other discovery deadlines. This way, both sides will have a better understanding of what questions of fact exist, if any, which would necessitate an evidentiary hearing.

Finally, we have not received ANY payment from you as mandated by the Court in the Order. Back then, the total outstanding was \$294.58. Now, the total amount due stands at \$449.83. (See attached copies of all invoices to date). Due to this high outstanding balance, we are reluctant to incur any additional non-reimbursed discovery related expenses.

Should you have any questions or concerns, please contact me at (808) 270-7777.

Very truly yours,



PETER A. HANANO
First Deputy Prosecuting Attorney

c: Judge Leslie Kobayashi

attachments

Mau Police Dept.



400 S HANA HWY
KAHULUI, HI 96732

Location: OGGA
Device ID: OGGA-POS1
Employee: 556658
Transaction: 710119745668

PRIORITY OVERNIGHT		
845246506810	1.00 lb (S)	\$34.83
PRIORITY OVERNIGHT		
845246506820	9.00 lb (M)	\$65.89
PRIORITY OVERNIGHT		
845246506831	2.00 lb (M)	\$37.96
PRIORITY OVERNIGHT		
845246506853	.50 lb (M)	\$23.26
PRIORITY OVERNIGHT		
845246506864	1.00 lb (M)	\$34.83
PRIORITY OVERNIGHT		
845246506875	1.00 lb (M)	\$34.83

Shipment subtotal: \$231.60

Total Due: \$231.60

FedEx Account: \$231.60
****99697

DUPLICATE

M = Weight entered manually
S = Weight read from scale
I = Taxable item

Subject to additional charges. See FedEx Service Guide
at fedex.com for details. All merchandise sales final.

Visit us at: fedex.com
Or call 1.800.GoFedEx
1.800.463.3339

October 9, 2007 11:46:05 AM

Keith S. Shigetomi, Esq.
711 Kapiolani Boulevard, Suite 1440
Honolulu, Hawaii 96813

Re: Taryn Christian v. Richard Bissen, et al.
Civil No. 04-00743 DAE-LEK

Five (5) video tapes @ \$10.00 each	\$50.00
One (1) audio cassette tape @ \$5.00	<u>5.00</u>

Total due \$55.00

Please make check payable to "COUNTY OF MAUI"

FedEx400 S HANA HWY
KAHULUI, HI 96732Location: OGG
Device ID: OGG-POS2
Employee: 271996
Transaction: 110120827279PRIORITY OVERNIGHT
863198477077 4.00 lb (M) \$7.98

Shipment subtotal: \$7.98

Total Due: \$7.98

FedEx Account: \$7.98
****20371

DUPLICATE

M = Weight entered manually
S = Weight read from scale
T = Taxable itemSubject to additional charges. See FedEx Service Guide
at fedex.com for details. All merchandise sales final.Visit us at: fedex.com
Or call 1.800.GoFedEx
1.800.463.3339

October 4, 2007 1:49:33 PM

FedEx US Airbill
Express

FedEx Tracking Number 8631 9847 7077

From Please print and press hard. Sender's FedEx Account Number 1238-2037-1

Date 10/4/07

Sender's Name MARGO EVANS Phone (808) 270-7777

Company Dept of the Prosecuting Attorney

Address 150 SOUTH HIGH ST.

City Wailuku State HI ZIP 96793

Dept./Room/Suite/Room

Four Internal Billing Reference

To Recipient's Name KEITH SHIGETOMI Phone (808) 596-0880

Company

Recipient's Address Pacific Park Plaza Suite 475

Address 711 KAPIOLANI BOULEVARD

City Honolulu State HI ZIP 96813

Sender's Copy

4a Express Package Service

☒ FedEx Priority Overnight
Next business morning.* Friday
shipments will be delivered on Monday
unless SATURDAY Delivery is selected.

☐ FedEx Standard Overnight
Next business afternoon.*
Saturday Delivery NOT available.

☐ FedEx First Overnight
Earliest next business morning
delivery to select locations.*
Saturday Delivery NOT available.

☐ FedEx 2Day
Second business day.* Thursday
shipments will be delivered on Monday
unless SATURDAY Delivery is selected.

☐ FedEx Express Saver
Third business day.*
Saturday Delivery NOT available.

* To most locations.

4b Express Freight Service

☐ FedEx 1Day Freight*
Next business day.* Friday
shipments will be delivered on Monday
unless SATURDAY Delivery is selected.

☐ FedEx 2Day Freight
Second business day.* Thursday
shipments will be delivered on Monday
unless SATURDAY Delivery is selected.

☐ FedEx 3Day Freight
Third business day.*
Saturday Delivery NOT available.

* To most locations.

5 Packaging

☐ FedEx Envelope*

☐ FedEx Pak*
Includes FedEx Small Pak,
FedEx Large Pak, and FedEx Study Pak.

☒ FedEx Box

☐ FedEx Tube

☐ Other
* Declared value limit \$500.

6 Special Handling

☐ SATURDAY Delivery
NOT Available for
FedEx Standard Overnight,
FedEx First Overnight, FedEx Express
Saver, or FedEx 3Day Freight.

☐ HOLD Weekday
at FedEx Location
NOT Available for
FedEx First Overnight.

☐ HOLD Saturday
at FedEx Location
Available ONLY for
FedEx Priority Overnight and
FedEx 2Day to select locations.

Does this shipment contain dangerous goods?

☒ No ☐ Yes
As per attached
Shipper's Declaration. ☐ Yes
Shipper's Declaration
not required.

☐ Dry Ice
Dry Ice, 9, UN 1845 x _____ kg
Dangerous goods (including dry ice) cannot be shipped in FedEx packaging. ☐ Cargo Aircraft Only

7 Payment Bill to:

☐ Sender ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check
Enter FedEx Acct. No. or Credit Card No. below.

FedEx Acct. No. Exp. Date

Credit Card No.

Total Packages 1 Total Weight 4 Total Declared Value* \$.00

*Our liability is limited to \$500 unless you declare a higher value. See back for details. By using this Airbill you agree to the service conditions on the back of this Airbill and in the current FedEx Service Guide, including terms that limit our liability.

8 Residential Delivery Signature Options

If you require a signature, check Direct or Indirect.

☐ No Signature
Required
Package may be left
without obtaining a
signature for delivery.

☐ Direct Signature
Someone at recipient's
address may sign for
delivery (see options).

☐ Indirect Signature
If no one is available at
recipient's address, someone
at a neighboring address may
sign for delivery. (See options).

520

Rev. Date 10/06/Part #16281-01594-2006 FedEx-PRINTED IN U.S.A. SRY



STATEMENT

MAUI COUNTY POLICE DEPARTMENT

55 Mahalani Street
Wailuku, Maui, Hawaii 93793

Date January 16, 2008Name: Peter HananoDeputy Prosecuting AttorneyMain StreetWailuku, HI 96793Case No. CR. NO.: 95-0389(1)

DATE	ITEM	AMOUNT
01/16/08	State of Hawaii vs. Taryn Christian	
	Copying charge for MPD report #95-39250	\$0.00
	2 sets of photos: 74@\$1.00	\$74.00
	Total Due	<hr/> \$74.00
sg		

Please make check payable to:
Maui Police Department
Records Division

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
(808) 270-7777

January 17, 2008

Keith S. Shigetomi, Esq.
711 Kapiolani Boulevard, Suite 1440
Honolulu, Hawaii 96813

Re: Taryn Christian v. Richard Bissen, et al.
Civil No. 04-1-00743 DAE-LEK

Police Report No. 95-39250 - 433 pages @ \$.25

\$108.25

RETURN YELLOW COPY WITH REMITTANCE

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
(808) 270-7777

January 17, 2008

Keith S. Shigetomi, Esq.
711 Kapiolani Boulevard, Suite 1440
Honolulu, Hawaii 96813

Re: Taryn Christian v. Richard Bissen, et al.
Civil No. 04-00743 DAE-LEK

One (1) video tape @ \$10.00	\$10.00
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Please make chekk payable to "COUNTY OF MAUI"

RETURN YELLOW COPY WITH REMITTANCE